

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition – Somasila Project –YSR District – O/o the Special Deputy Collector (LA) TGP, Unit-II, Kadapa – Income Tax Department raised demand due to short deduction of I.T from compensation – Appeal filed before the Commissioner of I.T (Appeal) Guntur – Stay petition filed before the Income Tax Officer, TDS-2, Tirupathi – Stay rejected – Appeal also filed before the Commissioner, IT(TDS), Hyderabad on rejection orders of the Income Tax Officer, Tirupathi – Permission to engage one Auditor till the case is finalized by the SDC(LA), TGP, Unit-II, Kadapa – Payment of Auditors fees of Rs.3,00,000/- sanctioned – Orders – Issued.

IRRIGATION & CAD (PW:LA.II) DEPARTMENT

G.O.Rt.No.357

Dated:22.06.2012

Read the following:-

1. From the Special Collector, Kadapa, Lr.Ref.A1/635/10, dt:23.12.2010.
2. Govt.Memo.No.33396/LA.II/A1/2010-2, dt:28.01.2011.
3. From the Special Collector, (LA), GNSS, Kadapa, YSR District, Lr.No.A1/635/2010, dt:08.06.2011.
4. From the Special Collector, (LA), GNSS, Kadapa, Lr.No.A1/635/10, dated:08.03.2012.

ORDER:-

In the reference 1st read above, the Special Collector,(LA) GNSS, Kadapa has stated that the Special Deputy Collector(LA), Telugu Ganga Project, Unit-II, Kadapa has reported that the Income Tax Officer, TDS-2, Tirupathi, informed that on perusal of the records of Special Deputy Collector's office, has raised demand notice U/s.156 of the Income Tax act 1961 for 3 years i.e. 2006-07, 2007-08 & 2008-09 on the ground that there is a short deduction of Income Tax while paying compensation to the lands losers. The notice contains that in the event of intending of appeal against the said assessment order/notice of demand, it should be done to the Deputy Commissioner of Income Tax (Appeals) Guntur within 30 days from the date of receipt of the same. The Special Deputy Collector(LA), has requested that permission may be given to engage one Advocate (or) one Auditor till the case is finalized in Appeal as the case is involved Rs.2,06,92,809/- . In view of the above, the Special Collector(LA), GNSS, Kadapa has recommended that permission may be accorded to engage one Advocate (or) Auditor till the case is finalize by the Special Deputy Collector,(LA), TGP, Unit-II, Kadapa and orders issued for taking further action.

2. In the reference 2nd read above, the Special Collector (LA), GNSS, Kadapa was requested to clarify as to whether the Special Deputy Collector (LA), Telugu Ganga Project, Unit-II, Kadapa want to engage an Advocate or an Auditor and the fee payable thereon to the Government.

3. In the reference 3rd read above, the Special Collector (LA), GNSS, Kadapa has stated that the Special Deputy Collector, Telugu Ganga Project, Unit-II, Kadapa has reported that one Chartered Accountant may be permitted to engage in this case. Further he has requested for fixing Chartered Accountant's fee at Rs.3,00,000 /- to appear before the I.T.O., T.D.S., Tirupathi; Additional C.I.T., T.D.S., Vijayawada, C.I.T., Appeals, Guntur and C.I.T., T.D.S., Hyderabad and represent the Govt. The Special Collector has, therefore, recommended that the Special Deputy Collector, (LA), Telugu Ganga Project, Unit-II, Kadapa may be permitted to engage one Chartered Accountant to attend and argue in all the above cases and issue orders in this regard.

P.T.O.

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4. In the reference 4th read above, the Special Collector, (LA), GNSS, Kadapa has informed that the Special Deputy Collector (LA), has submitted a detailed report on the points raised by the Government and the report holds good and genuine. The Special Collector, GNSS, Kadapa has, therefore, recommended that an amount of Rs.3,00,000/- may be sanctioned for payment to the Auditors fee as requested by the Special Deputy Collector, (LA), Telugu Ganga Project, Unit-II, Kadapa at an early date.

5. In the above circumstances as reported by the Special Collector (LA), GNSS, Kadapa, Government and after careful examination of the matter hereby accord permission to the Special Deputy Collector (LA), TGP, Unit-II, Kadapa to engage the services of one Chartered Accountant to attend and argue the said IT cases and sanction for an amount of Rs.3,00,000 /- (Rupees Three Lakhs only) towards payment of Auditors fees with the following conditions:-

1. to take immediate action to realize the amount excess paid to the beneficiaries, by initiating whatever action is necessary.
2. to fix up the responsibility for the lapse.
3. to examine the need to update the knowledge of the L.A. authorities regarding I.T. provisions, either by issuing circulars or conducting refresher courses.

6. The expenditure sanctioned in para (5) above shall be debitable to the following detailed Head of Account under : "4701- COL on Major & Medium Irrigation; 01 - Major Irrigation(commercial); MH 800 O.E. GH-11 Normal State Plan ;SH(25) – Project Establishment: 280-Professional Services- 284-Other Payments".

7. This orders issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.1330/F7(A2)/12-1, dt. 07.05.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.ARAVINDA REDDY
PRINCIPA SECRETARY TO GOVERNMENT

To

The Special Collector,(LA), GNSS, Kadapa.
The Special Deputy Collector(LA), TGP, Unit-II, Mamillapalli, Kadapa
The Director of Works Accounts, Hyderabad.
The Chief Engineer, GNSS., Kadapa.
The Accountant General, Andhra Pradesh, Hyderabad
The Director of Works Accounts, Hyderabad.
The Joint Director, Works Accounts, Kadapa
The District Treasury Officer, Kadapa.
The Pay and Accounts Officer,Kadapa.

Copy to:

The PS to Minister (M&MI)
The P.S. to Principal Secretary to Government, I & CAD Department
The Finance (W&P) Department,
Spare copies/ Stock file

//FORWARDED BY ORDER//

SECTION OFFICER